



Brandon E. Roos
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October 19, 2009

VIA FACSIMILE: (702) 388-0361

C. Stanley Hunterton, Esq.
Pamela Lawson, Esq.
HUNTERTON & ASSOCIATES
333 South Sixth Street
Las Vegas, Nevada

**Re: Phase II Chin, LLC v. Forum Shops, LLC;
Subpoena Duces Tecum; Pure Nightclub**

Dear Mr. Hunterton:

I am in receipt of the subpoena duces tecum issued by your office to Jan Marks, CFO of Pure Nightclub/Pure Management Group in the case of Phase II Chin, LLC v. Forum Shops, LLC, case number 2:08-cv-00162-JCM-GWF.

The subpoena contains document requests that would impose an undue burden and expense on Pure Nightclub in responding thereto. Specifically, the subpoena requests every document in the possession of Pure Nightclub relating in any way to any incident at Pure Nightclub for a five year period of time, as well as incidents at Caesars Palace. Moreover, the subpoena requests commercial information that is subject to protection from disclosure as well as information that is confidential in nature having nothing to do with the lawsuit identified in the subpoena. Pure Nightclub is neither a party to the lawsuit, nor a party's officer and therefore the subpoena does not comply with the requirements of Fed.R.Civ.P. Rule 45(c) of an attorney to affirmatively avoid undue burden or expense with respect to demands for document production.

Please contact me at your earliest convenience to discuss the contents of the subpoena, and the potential of narrowing the subpoena to avoid the current undue and excessive document demand.

Best regards,


Brandon E. Roos
Shareholder

EXHIBIT

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LV 418,946,913v1 10-19-09

GREENBERG TRAURIG LLP ■ ATTORNEYS AT LAW ■ WWW.GTLAW.COM

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Transmittal Cover Sheet

From:
Brandon E. Roos

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To:	Fax No:	Company:	Phone No.:
C. Stanley Hunterton, Esq.	388.0361		

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Re: Phase II Chin, LLC v. Forum Shops, LLC;

Date: October 19, 2009

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